

FOURTH CIRCUIT ORAL ARGUMENT ACKNOWLEDGMENT

This **Oral Argument Acknowledgment** form is to be completed and filed by arguing counsel within 7 days of the Oral Argument Notification. In criminal cases, counsel appearing for a defendant but not arguing must also file this form.

Case Number: 21-2184

Date of Oral Argument: 10/25/22

Caption: North Carolina Coastal Fisheries Reform Group, et al. v. Capt. Gaston LLC, et al.

Attorney Arguing: Brian D. Schmalzbach

Arguing on Behalf of (party name):

Capt. Gaston LLC; Hobo Seafood, Inc.; Lady Samaira, Inc.; Trawler Capt. Alfred, Inc.; Trawler Christina Ann, Inc.; Trawlers Garland and Jeff, Inc.; Esther Joy, Inc.

Select party type:

☐ Appellant ☒ Appellee ☐ Appellant/Cross-Appellee ☐ Appellee/Cross-Appellant ☐ Amicus ☐ Intervenor
Attorney Appearing for Defendant but **Not Arguing** in Consolidated Criminal Case:

Argument Time: Please indicate how much argument time you wish to use. You may thereafter change your requested time or change counsel arguing by filing a new **Oral argument acknowledgment** form and selecting "Amended" within the entry. Counsel arguing the case must be admitted to the Fourth Circuit, file an appearance of counsel form, and file this acknowledgment form.

- 20 minutes of argument time are allotted per side; all parties to a side must share oral argument time
- 15 rather than 20 minutes are allotted in social security, black lung & labor cases in which primary issue is whether substantial evidence supports agency decision, and in criminal cases in which primary issue is application of sentencing guidelines; 30 minutes are allotted in en banc cases
- Appellants and cross-appellants may reserve up to 1/3 of their time for rebuttal (7 out of 20 minutes)

First Attorney Arguing Per Side: Brian D. Schmalzbach

Phone Number (day of argument): (703) 864-7326

Principal Argument Time: 20
(for appellants and appellees)Rebuttal Argument Time (if any):
(appellants and cross-appellants only)

Any Second Attorney Sharing Arguing Time:

Phone Number (day of argument):

Principal Argument Time:
(for appellants and appellees)Rebuttal Argument Time (if any):
(appellants and cross-appellants only)

Any Counsel for Amicus Participating in Argument by Leave of Court:

Phone Number (day of argument):

Argument Time:

 Select one of the following: ☐ Order allowing argument time
☐ Court-Appointed Amicus

Signature: /s/ Brian D. Schmalzbach

Date: 09/08/22